



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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Governor

Robert L. Morgan
Executive Director

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Division Director

March 20, 2003

Fred and Marty Holley
P. O. Box 250
Dove Creek, Colorado 81324

Re: Deficient Notice of Intention to Commence Small Mining Activities, H & H Stone, Holley Project, S/037/117, San Juan County, Utah

Dear Messrs. Holley:

Thank you for your Notice of Intention, received by the Division February 25, 2003, concerning your proposed small mining program located in Section 32, Township 31 South, Range 26 East, SLBM, San Juan County, Utah. The notice does not satisfy the requirements of Rule R647-3 of the Utah Mined Land Reclamation Act of 1975, Title 40-8, et seq., Utah Code Annotated.

The following information is still required:

The notice indicates you have right of entry to conduct mining operations but also says the state lease number is pending. We have received information from the School and Institutional Trust Lands Administration (SITLA) that your application has not been approved. Please update your notice when you have received right of entry and provide evidence of right of entry.

Any road that is improved for the mining operation needs to be included as part of the disturbance. Your notice indicates you will be using three-fourths mile of an existing road 30 feet wide. According to the map provided, the existing road is not paved, so it is probably not currently 30 feet wide. If this is correct, there would be 2.72 acres of disturbance from the road. Combined with the 4.5 acres of disturbance at the mine itself, the total disturbance would be 7.22 acres. This would put it in the category of a large mine which requires more detailed baseline information, a mine plan, a reclamation bond and \$500.00 permit fees. Please clarify the status of the road and how much disturbance will be associated with the mine.

In addition, the Division of Oil, Gas and Mining is required to obtain a cultural resources clearance from the State Historic Preservation Office (SHPO). Your notice indicates you are working to have an archaeological survey completed for the area you intend to mine. SHPO has advised us that they will review the survey when it is completed and comment at that time.

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Please submit a revised notice of intention within 30 days or by April 21, 2003. If you do not have the results of the archaeological survey by then, please submit the revised notice and advise us of the anticipated time frame for completing the survey report. Please be aware that no mining is allowed until you have received written acceptance that your notice of intention is complete.

For your future reference, enclosed is a set of our minerals rules and a Form MR-SMO. Do not hesitate to call me at 801-538-5261 if you have any questions. The Division will suspend review and await your amended Notice of Intention. In reply, please refer to S/037/117. Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read 'P. B. Baker', with a stylized, cursive script.

Paul B. Baker
Senior Reclamation Biologist

jb
Enclosures: Rules and SMO form
cc: John Blake, SITLA
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